IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

-

WRIT PETITION NO : 10707 of 2005

Between:

1 Jaheda Begum, W/o. M.K.Sameeuddin, L.B.Nagar, Warangal.
2 Bill Khunneesa Begum, W/o. Syed Ahemmad
3 M.K.Ajeemuddin, S/o. Md. Afzal,
D.No.11-23-668, LB Nagar, Warangal.
4 Zulekha Begum, W/o. Md. Sardhar Khan,
R/o. Lakshmi Nagar, Warangal … Petitioners.

AND

1 The Special Officer, Urban Land Ceiling, Warangal.
2 Malakummari Mondaiah, S/o. Late Veeraiah, 11-15-32/104,
Bhagat Singh Nagar, Laxmipur, Narasampet Road, Warangal.
3 Malakummari Ramesh, S/o. Mondaiah,
Charbowli, Warangal.
4 Malakummari Bhadraiah, S/o. Mondaiah, 11-15-32/104,
Bhagat Singh Nagar, Laxmipur, Narasampet Road, Warangal.
5 The Joint Sub Registrar, Warangal Town, Warangal.
6 Malakummar Agamma, W/o. Late Swamy,
9-4-87, Girmajipet, Warangal.
7 Malakummari Kommalu, W/o.Kommulu,
Laxmipur, Narasampet Road, Warangal.
8 The Commissioner, Land Administration, Hyderabad. … Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order more especially one in the nature of writ of Mandamus declaring the action of the respondents*1 in issuing the proceedings No.A4/1420/2003 dt.19-

08-2003, issued in favour of 2nd respondent to sell sq. mtrs in Survey no. 27 of Laxmipuram Village as illegal, arbitrary, capricious and violative of principle of natural justice, and consequentially suspend the operation of impugned proceedings, A4/1420/2003 dt.19-08-2003, of the 1st respondent.

Counsel for the Petitioners: MR.RAVI SHANKAR JANDHYALA

Counsel for the Respondents 1, 5 & 8 : GP FOR LAND ACQUISITION

Counsel for the Respondents 2 to 4: Mr. B.Narayana Reddy;

Counsel for the Respondents 6 & 7: None appeared.

The Court made the following :

ORDER:

This Writ Petition has been filed by the petitioners with a prayer to issue a writ of Mandamus declaring action of the Special Officer, Urban Land Ceiling, Warangal-first respondent in issuing proceedings No.A4/1420/2003, dated 19.08.2003 in favour of the Malakummari Mondaiah-second respondent to sell 5252 square meters of land in survey no.27 of Laxmipuram village as illegal, arbitrary and violative of principles of natural justice.

Heard the learned counsel for the petitioners and Mr.B.Narayana Reddy, learned counsel appearing for the respondents 2 to 4.

It is the grievance of the petitioners that they challenged order of the first respondent dated 19.08.2003 by filing appeal before the Commissioner, Land Administration, Hyderabad-eighth respondent, and the said appeal has been pending without passing any orders thereon and so, they approached this Court seeking necessary direction to the appellate authority. When the appeal is pending before the appellate authority, it is for the petitioner to pursue the same. Since the appeal is pending before the competent appellant authority, the Writ Petition is disposed of directing the eighth

respondent to dispose of the appeal filed by the petitioners as expeditiously as possible, preferably within a period of two months from the date of receipt of copy of this order. No costs.

13.07.2005

DRK

Issue CC in one week.

BO

DRK

Copy to:

1 The Special Officer, Urban Land Ceiling, Warangal.

2 The Joint Sub Registrar, Warangal Town, Warangal.

3 The Commissioner, Land Administration, Hyderabad.

4 Two CCs to the G.P. for Land Acquisition, High Court of A.P., High Court buildings, Hyderabad (o.u.t.).

5 Two CD copies.